

REMARKS

This is a response to the Office Action dated February 25, 2005. Applicant herein presents amendments to the specification and the claims and arguments to traverse Examiner's 35 U.S.C. §§ 112, 102(e) and 103(a) rejections.

With this response, the Applicant is submitting herewith two power of attorney forms, signed by the inventors, which revoke all previous powers of attorney, and designate a new attorney representative as set forth in the forms.

Regarding Examiner's question in paragraph 16 of the Office Action, the subject matter of all of the claims in this application was jointly invented by both applicants and is commonly owned.

Response to the Objection to the Drawings

The Examiner has objected to the drawings because Figures 1 and 2 lack the proper cross-hatching which indicates the type of materials. Specifically, the Examiner made an objection because the cross hatching to indicate the conductive and insulative materials is improper. With this response, the Applicant is submitting replacement drawings sheets for Figures 1 and 2. The replacement drawings comply with MPEP §608.02. Thus, the Examiner's objection to the drawings is now moot.

Response to the Objection to the Abstract

In response to Examiner's objection to the Abstract as filed under MPEP §608.01(b), Applicant has in response amended the Abstract in accordance with Examiner's suggestions. Thus, the objection to the Abstract is now moot.

Response to the 35 USC §112 Rejections

The Examiner has rejected objected to claims 1-5 for various informalities, including for use of the term "the said" and use of the term "said conductors" in a confusing and non-specific manner. Claims 1-5 have been canceled and new claims 6-10 are presented herein. The Applicant submits that the claims, as currently amended, incorporate all of the Examiner's suggestions and comply with the requirements of 35 U.S.C. §112. Thus, the Examiner's §112 rejection is now moot.

Response to §102(b) Rejection Over Harrison

Examiner has rejected claims 1-4 under 35 USC 102(b) as being anticipated by Harrison (Pat. No. 6,388,188) (hereinafter, "Harrison"). Claims 1-4 have been canceled and replaced with new claims 6-9. The applicant respectfully traverses the § 102(b) rejection based upon Harrison because the reference does not teach every aspect of applicant's claimed invention as presented in new claims 6-9.

Specifically, the reference does not teach that "each of said individually insulated larger solid conductors, said smaller solid conductors and said tinsel wires is capable of conducting an electrical signal." Accordingly, as Harrison does
5 not teach this feature of claim 6, and since claims 7-9 are dependent on claim 6, Applicant respectfully traverses the 102(b) rejection.

A critical aspect of Applicant's invention, as amended, is that each of the three types of strands within the multiple core
10 conduits can conduct an electrical signal. Specifically, the larger solid conductors, the smaller solid conductors and the tinsel wires all conduct electricity. In fact, the advantageous features of Applicant's claimed invention are achieved in combining the electrical conductivity of all three of these
15 conductors within the multiple core conduits. Such a disclosure is not present in Harrison.

Harrison teaches an electrical cable that includes a first strand, a second strand and a third strand which are braided together. See Col. 2, ll. 3-9. The first and second strands
20 are electrically conductive and electrically insulated from each other, and the third strand is electrically non-conductive. See Id. (emphasis added). In fact, Harrison specifically teaches that an advantage of his invention is that the third strand is non-conductive:

However, in cables according to the present invention, using a non-conductive third strand enables considerable savings in cost to be made. This is true for many embodiments of the present invention but is particularly important when expensive, high conductivity materials are used in the conductive strands, especially when these conductive strands are heavy gauge wires. In addition, use of a non-conductive third strand enables the weight of the cable per unit length to be reduced. Furthermore, by incorporating a third strand comprised entirely of dielectric material, rather than using, say, a conductive strand in the form of a wire with an outer sheath of dielectric around a conductive (but unused, i.e., unconnected) core, an increased amount of dielectric material can be incorporated in the cables cross section. This is yet another factor which gives the designer greater control over the electrical properties of the cable.

Col. 4, ll. 40-55.

As such, it is quite clear that Harrison does not disclose all of the limitations in the Applicant's newly submitted claim 6. As shown above, the Applicant's claim 6 specifically requires all three strands to be electrically conductive. In fact, Harrison specifically teaches away from the Applicant's invention by teaching that the third strand within the conduit core should be non-conductive. Accordingly, since Harrison does not disclose the elements as claimed in the newly-submitted claims, Examiner's 102(b) rejection is not applicable and is requested to be withdrawn.

Response to § 103(a) Rejection Based on Harrison over Eichmann

Examiner has rejected Claim 5 under U.S.C. § 103(a) as being unpatentable over Harrison in view of Eichmann et al (Pat Num 6,495,763, hereinafter referred to as "Eichmann"). Examiner
5 has stated,

With respect to claim 5, it would have been obvious to one having ordinary skill in the art of cables at the time the invention was made to modify the cable of Harrison to comprise the conductor configuration wherein the diameter of the larger solid conductors is two to three times that of the smaller solid conductors as taught by Eichmann because Eichmann teaches that such a configuration results in a balanced flow of electrons. . .

15 Office Action, page 8.

Claim 5 has been canceled and claim 10 has been submitted to replace claim 5. The Examiner's 35 U.S.C. 103(a) rejection
20 is not applicable to claim 10, as discussed below.

Examiner's §103(a) rejection is based on the combined teachings of Harrison and Eichmann. However, in responding to the §102(b) rejection above, Applicant has fully traversed the Harrison reference by showing that it does not disclose all of
25 the limitations present in Applicant's newly submitted Claim 6. Also, since claim 10 is dependent on claim 6, it inherently includes all of the limitations of claim 6. Additionally, for a 35 U.S.C. 103(a) rejection to be properly applied, **the subject matter as a whole** must be obvious to one of ordinary skill in
30 the art. Thus, even if Harrison is combined with Eichmann,

these two references cannot make the applicant's whole invention obvious under 35 U.S.C. §103.

Even if Harrison or an equivalent reference could be properly combined against the Applicant's claims for purposes of 35 U.S.C. 103(a), Applicant submits that Eichmann would not make a proper reference to make claim 10 obvious. As mentioned above, claim 10 includes all of the limitations of claim 6. Thus, claim 10 contains the limitation from claim 6 requiring the diameter of the signal multiple core conduit to be identical to the diameter of the return multiple core conduit. As the Examiner has noted on page 8 of the Office Action, Eichmann instead teaches that the **return core as a whole** has a overall diameter that is two times greater than the signal core.

The Applicant simply claims that inside of the signal and the return cores, certain individual conductors are twice the diameter of other individual. Most importantly, the Applicant claims that **the diameters of the return core and the signal core are identical**, and does not claim that the one entire core is twice the diameter of the other core.

For the above reasons, the combination of Harrison and Eichmann is not a proper 35 U.S.C. 103(a) reference with respect to the Applicant's newly submitted claims. Furthermore, Eichmann alone, or in combination with any other reference, is not a proper 35 U.S.C. §103(a) reference with respect to the

Applicant's new claims. Thus, the Examiner's 103(a) rejection is improper and is requested to be withdrawn.

Conclusion

The Examiner is respectfully requested to reconsider his position in view of the amendments and remarks made herein and the distinctions now set forth. It is now believed that this application has been placed in condition for allowance, and such action is respectfully requested.

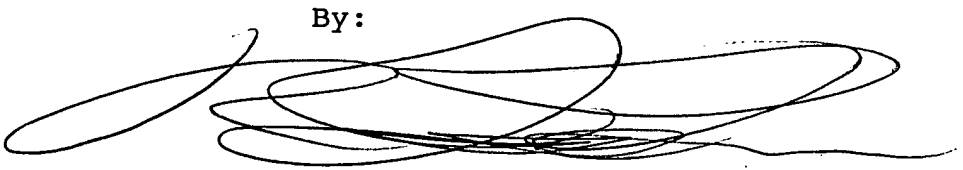
If the Examiner believes that a telephone or other conference would be of value in expediting the prosecution of the present application, enabling an Examiner's amendment or other meaningful discussion of the case, Applicant invites the Examiner to contact Applicant's representative at (310) 777-8399.

Respectfully submitted,

Trojan Law Offices

By:

Date: June 24, 2005



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